

### **Remarks/Arguments**

Claims 1-24 are currently pending in this application. Of these claims, claims 1, 9 and 17 have been amended. The amendments are fully supported by the specification. Applicant has amended the claims for clarification. No new matter has been added to the prosecution of this application. For at least the reasons stated below, Applicant asserts that all claims are now in condition for allowance.

#### **1. Title of Invention**

The title of the invention has been objected to as not being descriptive of the claimed invention. Applicants oppose this objection. Applicant asserts that the title is an accurate description of the invention as claimed. The present invention relates to an financial modeling and counseling system with a coach to assist the user in their financial planning. There are automated and live coaching aspects to Applicant's invention. Accordingly, Applicant asserts that said title is compliant. However, to further prosecution of this application, Applicant has amended the title as indicated above. Accordingly, Applicant requests withdrawal of the objection.

#### **2. 35 U.S.C. § 102 Rejections**

Claims 1-24 have been rejected under 35 U.S.C. § 102(e) as being anticipated by *Jones et al.* (US Patent 6,021,397). Applicants respectfully oppose this rejection. Applicants assert that not every element of every claim, as amended, is taught by the *Jones et al.* reference. In light of the below remarks, Applicant respectfully requests that Examiner's §102(e) rejections be withdrawn.

*Jones et al.* discloses a client-server transaction based financial advisory system that allows users to select financial products based on automated, interactive simulations that are designed to optimize the user's portfolio allocations based on a plurality of data inputs, both external and user defined. See *Jones et al.*, column 2, lines 48-54. *Jones et al.* discloses a method and program for data input (see *Jones et al.*, column 5, line 52 - column 7, line 10), portfolio optimization (see *Jones et al.*, column 10, line 54 - column 11, line 6; and column 17 line 15 - column 18, line 48), asset modeling (see *Jones et al.*, column 13, line 44 - column 17, line 13) and plan monitoring (see *Jones et al.*, column 18, line 50 - column 20, line 30). The disclosure of *Jones et al.* is different than Applicants' invention, as claimed.

Serial #: 09/976,443

In reply to Office action mailed: April 28, 2003

Page 8 of 9

Applicants' invention provides, as claimed, for an automated, Internet-based financial modeling and counseling system used to assist a plurality of individuals with planning and achieving their financial goals. The present invention operates within a web-based environment whereby users may receive both automated and live coaching and guidance regarding their financial decisions. Furthermore, the novel feature of live coaching combined with the automated system results in enhanced services to the user. See *Preliminary Amendment*, (detailing the advising feature on pages 5 and 16, the automated coaching on pages 6-7, and the differences between advising and coaching on page 7). Because not every element of every claim is taught by the cited reference, the § 102 rejections are unsupported by the art and should be withdrawn.

Specifically, the *Jones et al.* reference fails to disclose coaching as taught in the Applicants' invention. Most significantly, the *Jones et al.* reference fails to teach that coaching with a live person. Hence, the present invention discloses a wholly different invention than the *Jones et al.* reference because it combines a unique method, system and program that allows both automated and live coaching.

In summary, *Jones et al.* fails to disclose or suggest all of the limitations of claims 1-24. Thus, the rejection of these claims is improper. Accordingly, Applicants request withdrawal of the 35 U.S.C. 102(e) rejection.

### **3. Conclusion**

Applicant submits that all pending claims are allowable and respectfully requests that a Notice of Allowance be issued in this case. In the event a telephone conversation would expedite the prosecution of this application, the Examiner may reach the undersigned at (612) 607-7278. If any fees are due in connection with the filing of this paper, then the

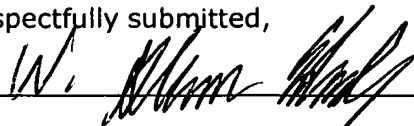
Serial #: 09/976,443

In reply to Office action mailed: April 28, 2003

Page 9 of 9

Commissioner is authorized to charge such fees including fees for any extension of time, to  
Deposit Account No. 50-1901 (Docket 060021-376002).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "W. Glenn Edwards", is written over a horizontal line.

W. Glenn Edwards, Reg. No. 44,426  
Customer No. 29,838

OPPENHEIMER WOLFF & DONNELLY LLP  
Plaza VII, Suite 3300  
45 South Seventh Street  
Minneapolis, MN 55405  
Phone: (612) 607-7278  
Fax: (612) 607-7100  
E-mail: WEdwards@oppenheimer.com